

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Hon. Thomas J. Tucker

**CERTIFICATION OF NO RESPONSE OR OBJECTION REGARDING
CITY OF DETROIT’S MOTION TO ENFORCE ORDER, PURSUANT TO
SECTIONS 105, 501, AND 503 OF THE BANKRUPTCY CODE AND
BANKRUPTCY RULES 2002 AND 3003(c), ESTABLISHING BAR DATES
FOR FILING PROOFS OF CLAIM AND APPROVING FORM AND
MANNER OF NOTICE THEREOF AGAINST
HORIZON IMAGING, LLC**

On March 18, 2016, the City Of Detroit (“City”) filed its Motion to Enforce Order, Pursuant to Sections 105, 501, and 503 of the Bankruptcy Code and Bankruptcy Rules 2002 and 3003(c), Establishing Bar Dates for Filing of Proofs of Claim and Approving Form and Manner of Notice Thereof Against Horizon Imaging, LLC (“Motion”) [Doc. No. 10846]. The Motion was served via first class mail and email upon counsel for Horizon Imaging, LLC on the same date. *See Certificate of Service* Exhibit A.

No response or objection to the Motion was filed with the Court and the time to do so has passed. The City respectfully requests that the Court enter an order in substantially the same form as the one which was attached to the Motion. *See Proposed Order* Exhibit B.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND
STONE, P.L.C.

By: /s/ Marc N. Swanson
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- and -

CITY OF DETROIT LAW DEPARTMENT

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Attorneys for the City of Detroit

DATED: April 6, 2016

Exhibit A

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 18, 2016, he served a copy of the foregoing **CITY OF DETROIT'S MOTION TO ENFORCE ORDER, PURSUANT TO SECTIONS 105, 501, AND 503 OF THE BANKRUPTCY CODE AND BANKRUPTCY RULES 2002 AND 3003(c), ESTABLISHING BAR DATES FOR FILING PROOFS OF CLAIM AND APPROVING FORM AND MANNER OF NOTICE THEREOF AGAINST HORIZON IMAGING, LLC** upon the persons listed below via first class mail and email:

Counsel to Horizon Imaging, LLC:

Paul J. Whiting, III
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DATED: March 18, 2016

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Exhibit B

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

**ORDER GRANTING CITY OF DETROIT'S MOTION TO ENFORCE
ORDER, PURSUANT TO SECTIONS 105, 501, AND 503 OF THE
BANKRUPTCY CODE AND BANKRUPTCY RULES 2002 AND 3003(c),
ESTABLISHING BAR DATES FOR FILING PROOFS OF CLAIM AND
APPROVING FORM AND MANNER OF NOTICE THEREOF AGAINST
HORIZON IMAGING, LLC**

This matter, having come before the Court on the Motion to Enforce Order, Pursuant to Sections 105, 501, and 503 of the Bankruptcy Code and Bankruptcy Rules 2002 and 3003(c), Establishing Bar Dates for Filing of Proofs of Claim and Approving Form and Manner of Notice Thereof Against Horizon Imaging, LLC (“Motion”)¹, upon proper notice and a hearing, the Court being fully advised in the premises, and there being good cause to grant the relief requested,

THE COURT ORDERS THAT:

1. The Motion is granted.
2. Within five days of the entry of this Order, Intervening Plaintiff Horizon Imaging, LLC will dismiss, or cause to be dismissed, with prejudice its Intervening Complaint filed on January 26, 2016 in the lawsuit captioned as

¹ Capitalized terms used but not otherwise defined in this Order shall have the meanings given to them in the Motion.

Frederick Morris, Plaintiff and Horizon Imaging, LLC, Intervening Plaintiff, vs. City of Detroit, Defendant, case number 15-004176, Wayne County Circuit Court, Michigan (“State Court Action”).

3. Horizon Imaging, LLC is permanently barred, estopped and enjoined from asserting the claim arising from or related to its State Court Action against the City of Detroit or property of the City of Detroit.

4. The Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.